DETAILED ACTION

Response to Arguments

Applicant's arguments filed 7/30/08 have been fully considered but they are not persuasive.

Page 4, paragraph beginning with "Claim 1 has been amended":

The applicant argues that as the limitations from claims 2 and 3 have been added to claim 1. Claims 2 and 3 were Markush claims in the previous listing of claims, and as all the limitations have not been added to claim 1 the newly amended claim would require further searching and/or consideration.

Page 5, paragraph beginning with "As discussed supra":

The applicant argues that neither Fishman nor Gelston, taken alone or in combination teaches or suggests a corresponding row width or a corresponding column width of an icon in a row or column represents a duration of the task-oriented process step for the parts program. Fishman discloses a system wherein tasks to be performed by a CNC lathe are represented on a graphical user interface (figure 3C; Abstract). The upper portion of the figure shows a listing of tasks and what tools will be used (Proc ID P01 and Tool ID T001 for example) and for how long (22 seconds for P01). On the lower section of the figure, the tasks are listed in a time based graph to give an overall picture of what tasks are performed and when they are performed. Gelston teaches a system wherein medical icons are displayed on a grid to show the status of the patients (figure 31; paragraph 133). Therefore the modification of Fishman's timeline (figure 3C,

lower portion) to include the icons as taught by Gelston (figure 31) would result in the applicant's invention.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the icon displaying the actual status of a task-oriented process step as a change in line thickness of the placeholder must be shown or the feature(s) canceled from claim 3. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next

Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

Claims 1, 3, and 4 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter. The invention appears to be an

icon displayed on a screen, which is a type of signal and is not considered statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Fishman in view of Gelston in view of Umezu.

Referring to claim 1, Fishman discloses an icon for graphic visualization of task-

oriented steps in industrial control processes (Abstract; figure 3c), the graphic

visualization comprising at least one graphic symbol (figure 3c; column 10, lines 29-36)

and at least one placeholder (figure 3c; column 10, lines 51-53), wherein a size of the

placeholder is representative of the duration of a task-oriented process step (figure 3c; column 10, lines 51-53).

Fishman does not disclose an icon wherein the icon comprises at least one graphic symbol and at least one placeholder implemented as a frame surrounded the at least one graphic symbol; and

the icon displays a state change of a task-oriented process step as a change in color of the at least one graphic symbol.

In an analogous art, Gelston teaches an icon wherein the icon comprises at least one graphic symbol and at least one placeholder implemented as a frame surrounded the at least one graphic symbol (figure 31; paragraph 133).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the graphic symbol to the placeholder as taught by Gelston to the icon disclosed by Fishman. The motivation would have been to enable the user to be able to understand the whole process with a quick look at the timeline, instead of having to refer back to the process list.

Fishman and Gelston do not disclose an icon wherein the icon displays a state change of a task-oriented process step as a change in color of the at least one graphic symbol.

In an analogous art, Umezu teaches an icon wherein the icon displays a state change of a task-oriented process step as a change in color of the at least one graphic symbol (column 23, lines 1-4).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the color changing task taught by Umezu to the icon disclosed by Fishman and Gelston. The motivation would have been to enable a user to quickly identify where in the process the system was, thereby saving the user time.

Referring to claim 4, Fishman discloses the use of the icon of claim 1 for graphic visualization of the task-oriented process steps of parts programs in machine tools or production machines (Abstract; figure 3c).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fishman, Gelston, and Umezu as applied to claim 1 above, and further in view of Manabe.

Referring to claim 3, Fishman, Gelston, and Umezu do not disclose an icon of claim 1, wherein the icon displays an actual state of a task-oriented process step as a change in a line thickness of the placeholder.

In an analogous art, Manabe teaches an icon of claim 1, wherein the icon displays an actual state of a task-oriented process step as a change in a line thickness of the placeholder (paragraph 28).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the boundary line changing taught by Manabe to the icon disclosed by Fishman, Gelston, and Umezu. The motivation would have been that it would be a simple substitution of the color changing taught by Umezu (Manabe: paragraph 28).

Claims 5, 6, and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishman in view of Gelston.

Referring to claim 5, Fishman discloses a method for graphic visualization of task-oriented steps of parts programs in machine tools or production machines with icons (Abstract; figure 3c), comprising the steps of:

associating each row or each column with a particular parts program, and with a corresponding row width or a corresponding column width of an icon in said row or column representing a duration of the task-oriented process step for said parts program (figure 3c; column 9, lines 61-64; column 10, lines 29-36 and 51-53); and

displaying, upon selection of an icon by a user, the corresponding parts program associated with the row or column in ASCII code or a step (figure 3C).

Fishman does not disclose a method for arranging the icons in form of rows or columns, with each icon graphically visualizing an individual task-oriented step of a parts program.

In an analogous art, Gelston teaches a method for arranging the icons in form of rows or columns, with each icon graphically visualizing an individual task-oriented step of a parts program (figure 31; paragraph 133).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the graphic symbol to the placeholder as taught by Gelston to the icon disclosed by Fishman. The motivation would have been to enable the user to be able to understand the whole process with a quick look at the timeline, instead of having to refer back to the process list.

Referring to claim 6, Fishman discloses a method of claim 5, wherein the icons

comprise at least one graphic symbol and at least one placeholder, wherein a size of

the placeholder is representative of the duration of a task-oriented process step (figure

3c).

Fishman does not disclose a method wherein said placeholder implemented as a

frame surrounded the at least one graphic symbol.

In an analogous art, Gelston teaches a method wherein said placeholder

implemented as a frame surrounded the at least one graphic symbol (figure 31;

paragraph 133).

At the time of the invention, it would have been obvious for one of ordinary skill in

the art to add the graphic symbol to the placeholder as taught by Gelston to the icon

disclosed by Fishman. The motivation would have been to enable the user to be able to

understand the whole process with a quick look at the timeline, instead of having to

refer back to the process list.

Referring to claim 9, Fishman discloses a method of claim 5, wherein the

duration of a task-oriented process step is referenced to a common time axis (figure 3c).

Referring to claim 10, Fishman discloses a method of claim 5, wherein the icons

are displayed in a normalized or synchronized form (figure 3c; column 9, lines 61-64).

Referring to claim 11, Fishman discloses a method of claim 5, wherein a mutual

dependency of the parts programs is visualized by synchronization lines that connect

the icons across different parts programs (figure 3c).

Referring to claim 12, Fishman discloses a method of claim 5, wherein the

duration of a task-oriented process step is indicated in form of numerical values (figure

3c).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Justin E. Shepard whose telephone number is (571)

272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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JS

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